

**BOARD OF PAROLE HEARINGS**  
**En Banc Decisions**  
**Wednesday, January 21, 2015**

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<b>MARTINEZ, STEVEN</b>	<b>P-23908</b>	<b>Penal Code section 1170(e)</b>
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**Motion:** Because the record before the board does not contain sufficient details regarding Mr. Martinez' parole plans, the board hereby defers this matter to its next executive meeting and orders a full pre-parole plan report be prepared. In addition, the board requests verification of the letters submitted by Mr. Martinez in support of his request for recall of sentence or resentencing.

Motion by: **Garner**

Second by: **Singh**

Not Present:

Abstained:

**Decision:** Motion carried.

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<b>RANDALL, KIMINI</b>	<b>P-35327</b>	<b>Referred by Chief Counsel</b>
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**Motion:** Refer the inmate's October 8, 2014, grant of parole for a rescission hearing on the next available calendar based on new information regarding the inmate's alleged internet misconduct. In advance of the hearing, the board orders an investigation into the inmate's alleged internet misconduct.

Motion by: **Turner**

Second by: **Zarrinnam**

Not Present:

Abstained:

**Decision:** Motion carried.

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**STORY, MICHAEL****H-42955****Referred by Chief Counsel**

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**Motion:** Affirm the October 30, 2014, denial of parole and schedule a re-hearing for the sole purpose of recalculating the prisoner's base term and adjusted base term.

Motion by: **Garner**

Second by: **Richardson**

Not Present:

Abstained: **Roberts**

**Decision:** Motion carried.

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**TORRICELLAS, THERESA W-21722****Referred by Chief Counsel**

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**Motion:** In light of the inmate's self-reported concerns about her inability to adequately prepare for her hearing due to her medical condition, vacate the October 2, 2014, decision and schedule a re-hearing once the inmate has been provided additional time to review the non-confidential portion of her central file.

Motion by: **Anderson**

Second by: **Garner**

Not Present:

Abstained:

**Decision:** Motion carried.

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**VASQUEZ, RUDY****J-19194****Referred by Chief Counsel**

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**Motion:** Affirm the inmate's October 8, 2014, stipulation to unsuitability for parole and schedule a re-hearing for the sole purpose of recalculating the prisoner's adjusted base term.

Motion by: **Singh**

Second by: **Turner**

Not Present:

Abstained:

**Decision:** Motion carried.

**LEMUS, FERNANDO**

**K-69511**

**Governor-Referred pursuant to  
Penal Code section 3041.1**

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**Motion:** Refer for a rescission hearing to consider whether the panel that granted parole on September 12, 2014, committed a fundamental error resulting in the improvident grant of parole by failing to adequately consider the inmate's rehabilitative efforts regarding the nature of his offenses and his substance abuse history and the panel's failure to explore the extended period of abuse of the minor victim.

Motion by: **Zarrinnam**

Second by: **Montes**

Not Present:

Abstained: **Garner**

**Decision:** Motion carried.

**MEJIA, ROBERT**

**K-02824**

**Governor-Referred pursuant to  
Penal Code section 3041.1**

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**Motion:** Affirm the panel's September 5, 2014, decision to grant parole based on a finding that the inmate no longer poses an unreasonable risk of danger to the public, as articulated in the panel's proposed decision.

Motion by: **Roberts**

Second by: **Garner**

Not Present:

Abstained: **Labahn; Montes; Zarrinnam**

**Decision:** Motion carried.

**ARGUETA, OSCAR**

**J-95389**

**Panel-Referred pursuant to Penal  
Code section 3041, subdivision (a)**

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**Motion:** Affirm the panel's December 4, 2014, decision to deny parole based on a finding that the inmate poses an unreasonable risk of danger to the public, as articulated in the record created by the panel in support of its proposed decision.

Motion by: **Singh**

Second by: **Anderson**

Not Present:

Abstained: **Zarrinnam**

**Decision:** Motion carried.

**Motion:** Vacate the panel's December 11, 2014, decision to grant parole for purposes of conducting an investigation into the inmate's gang involvement. Schedule a new hearing on the next available calendar.

Motion by: **Labahn**

Second by: **Garner**

Not Present:

Abstained:

**Decision:** Motion carried.